

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

GTECH CORPORATION, :
: Plaintiff, :
: v. : Civil Action No. 04-138-JJF
: SCIENTIFIC GAMES INTERNATIONAL, :
: INC., SCIENTIFIC GAMES HOLDINGS :
: CORPORATION, SCIENTIFIC GAMES :
: FINANCE CORPORATION, and :
: SCIENTIFIC GAMES CORPORATION, :
: Defendants. :

MEMORANDUM ORDER

Pending before the Court is Scientific Games' Motion To Strike Gtech's Reply Brief Regarding Its Motion For Reconsideration Of The Court's June 14th Order Granting Defendants' Motion To Preclude Gtech From Asserting New Claims (D.I. 100). For the reasons discussed, the Motion will be granted.

I. BACKGROUND

On June 27, 2005, Plaintiff filed a Motion For Reconsideration Of The Court's June 14th Order Granting Defendants' Motion To Preclude Gtech From Asserting New Claims (D.I. 91). Defendants filed a response on July 12, 2005. (D.I. 97). The Court docket showed that a reply brief was due by July 18, 2005. (D.I. 102, exhibit A). Plaintiff informed the Court by email that briefing was complete and the motion was ready for a decision on July 13, 2005. (D.I. 100, exhibit A). On July 18,

2005, Plaintiff filed a reply brief in support of its motion. (D.I. 98).

II. DISCUSSION

District of Delaware Local Rule 7.1.5 provides:

A motion for reargument shall be served and filed within 10 days after the filing of the Court's opinion or decision. The motion shall briefly and distinctly state the grounds therefor. Within 10 days after service of such motion, the opposing party may serve and file a brief answer to each ground asserted in the motion. The Court will determine from the motion and answer whether reargument will be granted.

D. Del. L. R. 7.1.5 (2005). Accordingly, the rule "permits filing of only one brief per side with an emphasis on brevity." Stairmaster Sports/Medical Prods., Inc. v. Groupe Procycle, Inc., 25 F. Supp. 2d 270, 292 (D. Del. 1998).

While the Court mistakenly included a date for filing a reply brief, Plaintiff was aware of the District's Local Rules and that the Court would only consider the motion and an answer brief. Plaintiff demonstrated its awareness by informing the Court on July 13, 2005 that the motion for reconsideration was ready for a decision, and by its failure to submit a reply brief on another motion for reconsideration. (See D.I. 101). Accordingly, the Court will grant Scientific Games' Motion To Strike Gtech's Reply Brief Regarding Its Motion For Reconsideration Of The Court's June 14th Order Granting Defendants' Motion To Preclude Gtech From Asserting New Claims (D.I. 100).

ORDER

NOW THEREFORE IT IS HEREBY ORDERED this 17 day of November 2005 that Scientific Games' Motion To Strike Gtech's Reply Brief Regarding Its Motion For Reconsideration Of The Court's June 14th Order Granting Defendants' Motion To Preclude Gtech From Asserting New Claims (D.I. 100) is GRANTED.



UNITED STATES DISTRICT JUDGE